

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT WHARTON

AY-6874

Phoenix

State Correctional Institution

1200 Mokychic Road

Collegeville, PA 19426,

Petitioner,

v.

DONALD T. VAUGHN, et al.

Respondents.

CIVIL ACTION

No. 01-6049

ORDER

AND NOW, this 17th day of November, 2020, it is hereby **ORDERED** that:

- An evidentiary hearing on Petitioner's remaining § 2254 habeas claim shall be held on
 - **February 18, 2021 at 9:00 a.m.;**
 - **February 25, 2021 at 1:00 p.m.;**
 - **March 8, 2021 at 1:00 p.m.;** and
 - **March 16, 2021 at 9:00 a.m.**

The parties should report to **Courtroom 15-A** on all of the above dates.

- Petitioner shall **APPEAR** at the hearing via videoconference from S.C.I. Phoenix, the state penal institution at which he is being held.
- The Superintendent of S.C.I. Phoenix shall **PRODUCE Robert Wharton (AY-6874)** to appear for the hearing via video.
- **By no later than January 11, 2021**, if counsel has not already done so, counsel shall

serve:

- A copy of each exhibit that the party or the Pennsylvania Office of the Attorney General expect to offer at the hearing, together with an index of all exhibits;
 - A list of all witnesses that the party or Pennsylvania Office of the Attorney General expect will be called; and
 - Any proposed stipulations.
- **By no later than January 18, 2021**, the parties may file, if necessary, motions *in limine*.
- Any responses to motions *in limine* shall be filed **by no later than February 1, 2021**.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.